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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Naomi Burke Anker et al.

Serial No.: 10/520,962 **Case No.:** MS0012YP

Filed: November 28, 2005

For: Treatment of Neuropathic Pain with 6H-Pyrrolo[3,4-d]pyridazine Compounds

Art Unit
1609

Auth. Off.:
P. Dickinson

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
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RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This paper is filed in response to the restriction requirement mailed October 4, 2007 and for which a response is due on November 4, 2007. Claims 1-26 are currently pending in the application and are subject to the following restriction under 35 U.S.C. 121:

Group I, claims 1-4, 25 and 26 drawn to a compound of formula I.

Group II, claims 5-9, 15 and 19, drawn to methods of treating pain.

Group III, claims 10 in part and 11, 12 and 16 in full, drawn to methods of treating extrapyramidal symptoms and Parkinson's disease.

Group IV, claims 10 in part and 13, 14 and 17 in full, drawn to methods of treating anxiety and depression.

Group V, claim 18 drawn to a method of treating epilepsy.

Group VI, claims 20-22, drawn to method of treating cognitive disorders.

Group VII, claims 23 and 24, drawn to a method of treating circadian rhythm and sleep disorders.

Case MS0012YP

Applicants elect Group I, claims 1-4, 25 and 26 drawn to a compound of formula I. Applicants respectfully traverse and assert that the Examiner fails to justify the restriction requirement because the present invention of Groups I-VII are related. Even though only one invention may be claimed in a single application, a reasonable number of species of the invention can be claimed if there is an allowable generic claim in the application, which is the case of the present application. Accordingly, there is no additional burden on the part of the Examiner to conduct the prior art search for examination of the present application in total. Applicants further request that the Examiner apply procedures for the rejoinder of withdrawn method claims consistent with MPEP 821.04 (e.g. the Official Gazette Notice (1184 O.G. 86) of March 26, 1996, and the "Training Materials for Treatment of Product and Process Claims in Light of In re Brouwer and In re Ochiai and 35 U.S.C. 103 (b)"). Applicants note that the method claims already include all the limitations of the main product claim.

As required by the Examiner, the elected species is last compound in column three on page 177 of the specification. The claims encompassing the elected invention are claims 1-4, 25 and 26.

In view of the above, the Examiner is respectfully requested to withdraw the restriction requirement.

Authorization is hereby given to charge any fees which may be due as a result of this petition to Deposit Account No. 13-2755.

Respectfully submitted,

By: 

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